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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

In re VNGR BEVERAGE, LLC LITIGATION

Case No. 4:24-cv-03229-HSG

Hon. Haywood S. Gilliam, Jr.

**DECLARATION OF MARIE M.
MCRARY IDENTIFYING CHANGES
TO PROPOSED PRELIMINARY
APPROVAL ORDER AND NOTICE
DOCUMENTS**

1 I, Marie M. McCrary, declare as follows:

2 1. WHEREAS, on Thursday, May 8, 2025, the Court held a hearing on Plaintiffs'

3 Unopposed Motion for Preliminary Approval of Class Action Settlement (ECF No. 59);

4 2. WHEREAS, at that hearing, the Court requested that the accompanying Notice
5 Documents be amended to clarify the definition of "Household" and Counsel volunteered to
6 make amendments to the Proposed Order;

7 3. WHEREAS, the Court ordered that the updated Notice Documents, attached
8 hereto as Exhibits A-D, and the amended Proposed Order, attached hereto as Exhibit E, be
9 resubmitted to the Court with redlined changes (ECF No. 59);

10 4. WHEREAS, per the Court's Order, the Notice Documents (Exhibits A-D) have
11 been updated to include a definition for "Household" and clarifies that multiple Claims
12 submitted from the same Household would be aggregated into a single Claim;

13 5. WHEREAS, the Proposed Order has been updated to remove Plaintiff Carol Lesh
14 as a Class Representative and updates the Service Award total accordingly. The updated Order
15 also contains a corrected citation to the Website Notice.

16 6. WHEREAS, the Service Award total has also been updated in the Notice
17 Documents.

18 I declare under penalty of perjury under the laws of the United States that the foregoing is
19 true and correct, executed on May 15, 2025 at Timnath, Colorado.

20 By: /s/ Marie A. McCrary
21 Marie A. McCrary

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1 Dated: May 15, 2025

Respectfully submitted,

2 **GUTRIDE SAFIER LLP**

3 By: /s/ Marie A. McCrary

4 Marie A. McCrary (State Bar No. 262670)

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Attorneys for Plaintiff Wheeler